

a transmitting unit for transmitting the control signal to the electronic apparatus;  
a receiver for receiving additional information that has been extracted from the  
received information and transmitted by the electronic apparatus;  
an output unit for outputting the additional information received by the receiver to a  
display device;  
a memory for storing at least a portion of said additional information; and  
an erasing unit for deleting said information stored in said memory.

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#### REMARKS

Favorable reconsideration of this application is respectfully requested.

Claim 1 is amended by the present response to correct for a minor typographical error.

Claims 1, 2, 4-13, 20-27, 30, 31, 33-48, 52-61, 65-76, and 81-88 are pending in this application. Claims 3, 28, 29, 49-51, 62-64, and 77-80 are canceled by the present response. Claims 1-13, 20-29, 31, and 33-38 were rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over Claims 33-82 of co-pending U.S. application serial no. 09/707,007. Claims 1-13, 20-29, 31, and 33-88 were rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over Claims 33-108 of co-pending U.S. application serial no. 09/751,113. Claims 1-13, 20-29, 31, and 33-88 were rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over Claims 1-4 of U.S. patent 6,246,441 (herein "the '441 patent'"). Claims 1-13, 20-29, 31, and 33-88 were rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over Claims 1-30 of U.S. application serial no. 09/706,945. Claims 1-3, 5-17, 20-27, 75-77, 80, 81, and 84-88 were rejected under

35 U.S.C. § 102(b) as anticipated by U.S. patent 6,014,184 to Knee et al. (herein "Knee"). Claims 33-35, 38, 39, 42-49, 52, 55-62, 65-67, and 70-74 were rejected under 35 U.S.C. § 103(a) as unpatentable over Knee in view of U.S. patent 6,278,493 to Takahashi et al. (herein "Takahashi") or in view of U.S. patent 5,805,214 to Nishizawa et al. (herein "Nishizawa"). Claims 28, 29, 31, 36, 37, 41, 50, 51, 54, 63, 64, 69, 78, 79, and 83 were rejected under 35 U.S.C. § 103(a) as unpatentable over Knee in view of U.S. patent 6,044,403 to Gerszberg et al. (herein "Gerszberg").

Addressing first the rejection of Claims 1-13, 20-29, 31, and 33-88 under the judicially created doctrine of obviousness-type double patenting as unpatentable over Claims 33-82 of co-pending U.S. application serial no. 09/707,007, that rejection is traversed by the present response.

The currently pending claims are believed to differ from the currently pending claims in U.S. application serial no. 09/707,007.

It is first noted that the outstanding Office Action has drawn attention to Claims 33, 39, 41, and 50 of U.S. application serial no. 09/707,007.<sup>2</sup> However, those claims differ from the claims in the present application as the claims in the present application require "a memory for storing at least a portion of said additional information", as recited in independent Claim 1; the other independent claims are believed to recite a similar limitation. That feature is believed to distinguish over the features in U.S. application serial no. 09/707,007. More particularly, Claims 33, 39, 40, and 50 of U.S. application serial no. 09/707,007 recite "a category storing means" or a step of "storing a category favored by a user". The above-noted currently claimed "memory" does not correspond to such a "category storing means". The claims in U.S. application serial no. 09/707,007 do not require the same

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<sup>2</sup>The indication to Claim 41 appears to actually intend to refer to Claim 40.

feature of the "memory" noted above as recited in the present application. Thus, the currently pending claims are believed to distinguish over the claims in U.S. application serial no. 09/707,007, and therefore the above-noted obviousness-type double patenting rejection is traversed.

Addressing now the rejection of Claims 1-13, 20-29, 31, and 33-88 under the judicially created doctrine of obviousness-type double patenting as unpatentable over Claims 33-108 of co-pending U.S. application serial no. 09/751,113, that rejection is also traversed by the present response.

The claims in U.S. application serial no. 09/751,113 as currently written are particularly directed to a situation in which the claimed "additional information" is directed to "advertisement information" that includes "coupon information". The currently pending claims are not directed to such a feature. That is also the case as Claims 3, 28, 29, 49-51, 62-64, and 77-80 are canceled by the present response. Those canceled claims were directed to additional information being "advertisement information". However, by the cancellation of those claims it is believed that the currently pending claims in the present application do not conflict with the claims in co-pending U.S. application serial no. 09/751,113. Therefore, the above-noted obviousness-type double patenting rejection is also traversed by the present response.

Addressing now the rejection of Claims 1-13, 20-29, 31, and 33-88 under the judicially created doctrine of obviousness-type double patenting over Claims 1-4 of the '441 patent, that rejection is also traversed by the present response.

The currently pending claims are believed to distinguish with Claims 1-4 of the '441 patent. Specifically, the claims in the '441 patent require first, second, and third receivers and first and second transmitters, which clearly distinguish from the currently pending claims.

Further, the claims in the '441 patent' do not require the specifics of the claimed "memory" or "erasing unit", further distinguishing the currently pending claims over the claims in the '441 patent'. Therefore, the above-noted obviousness-type double patenting over the '441 patent' is traversed by the present response.

Addressing now the rejection of Claims 1-13, 20-29, 31, and 33-88 under the judicially created doctrine of obviousness-type double patenting as unpatentable over Claims 1-32 of U.S. application serial no. 09/706,945, that rejection is also traversed by the present response.

The currently pending claims distinguish from Claims 1-32 in U.S. application serial no. 09/706,945. It is first noted that an amendment is being submitted in U.S. application serial no. 09/706,945 amending the claims. Those amendments are believed to obviate the outstanding obviousness-type double patenting rejection. Further, the claims in U.S. application serial no. 09/706,945 also do not require the limitations of the "memory" and "erasing unit" or "deleting" step recited in the currently pending claims. Further, the amended claims in U.S. application serial no. 09/706,945 are also directed to the additional information being "advertisement information", which as noted above differs from the currently pending claims. Therefore, the further above-noted obviousness-type double patenting rejection is also traversed by the present response.

Addressing now the rejection of Claims 1-3, 5-17, 20-27, 75-77, 80, 81, and 84-88 under 35 U.S.C. § 102(b) as anticipated by Knee, that rejection is also traversed by the present response.

It is believed that the outstanding rejection is misconstruing the currently pending claims in view of the teachings in Knee. Independent Claim 1, as an example, is directed to a control device, and each of the claimed "transmitting unit", "receiver", "output unit",

"memory", and "erasing unit", are *part of the control device*. As a non-limiting example that control device can be a remote control for a television set. The other independent claims are similar to independent claim 1.

The outstanding rejection identifies element 31, the remote control, in Knee as corresponding to the claimed "control device". As noted above, in a non-limiting example the claimed "control device" can be a remote control for a television set similarly to element 31 in Knee. However, it is clear from the outstanding rejection that the control device 31 in Knee does not include each of the elements of the "transmitting unit", "receiver", "output unit", "memory", and "erasing unit". For example, it is clear that the receiver 29 relied upon in the rejection is not a part of the control device 31. It is also clear that the output unit 23 is not part of the control device 31. Moreover, it is believed that the control device 31 in Knee does not even provide any operation for receiving information extracted from received information and transmitted by the electronic apparatus 27. That is, the t.v. receiver 27 in Knee is not believed to transmit any additional information to the control device 31, which would also be required for Knee to meet the claim limitations.

In such ways, each of the currently pending claims is believed to clearly distinguish over the teachings in Knee, and thus the above-noted rejection is traversed by the present response.

Addressing now the further rejections based upon Knee in view of Takahashi or Nishizawa or Knee in view of Gerszberg, those rejections are also traversed by the present response. More particularly, each of those further rejections is based on Knee anticipating the subject matter of the independent claims. As discussed above, the independent claims distinguish over Knee. Thus, those further rejections are also traversed by the present response.

In summary, each of the currently pending claims is believed to be in condition for allowance.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Gregory J. Maier  
Attorney of Record  
Registration No. 25,599  
Surinder Sachar  
Registration No. 34,423



**22850**

Tel.: (703) 413-3000  
Fax: (703) 413-2220  
GJM:SNS\la  
I:\atty\SNS\205602us-am.wpd



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IN THE CLAIMS

--1. (Amended) A control device [with] which controls, by transmitting a control signal, an electric apparatus that receives information transmitted via a transmission medium, comprising:

- .. a transmitting unit for transmitting the control signal to the electronic apparatus;
- .. a receiver for receiving additional information that has been extracted from the received information and transmitted by the electronic apparatus;
- .. an output unit for outputting the additional information received by the receiver to a display device;
- .. a memory for storing at least a portion of said additional information; and
- .. an erasing unit for deleting said information stored in said memory.--